

The Honorable Samuel J. Steiner Chapter 13

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

In re: ALAN J. DIOLATA) CASE NO. 10-12650-SJS
REGINA C. DIOLATA,)
DEBTORS.) ADV. PROC. NO. 10-01484-SJS

ALAN J. DIOLATA)
REGINA C. DIOLATA,)
Plaintiffs,)
v.)
SALLIE MAE, INC.; AMERICAN EDUCATION)
SERVICES, LLC, FIRST MARBLEHEAD)
CORPORATION, GREAT LAKES)
EDUCATIONAL LOAN SERVICES, INC.,)
CHASE AUTO FINANCE CORPORATION,)
DEVRY UNIVERSITY, EDUCATION)
MANAGEMENT CORPORATION, CA)
STUDENT AID COMMISSION, US)
DEPARTMENT OF EDUCATION, BANK OF)
NEW YORK-MELLON, USA FUNDS, INC.,)
NATIONAL STUDENT LOAN PROGRAM,)
AND INTERNATIONAL ACADEMY OF)
DESIGN AND TECHNOLOGY,)
Defendants,)

**ORDER APPROVING STIPULATION IN
SETTLEMENT OF AMENDED
COMPLAINT TO DETERMINE
DISCHARGEABILITY OF EDUCATIONAL
LOAN DEBTS ON ALAN J. DIOLATA
ONLY**

1- Stipulation in Settlement of Complaint to Determine Dischargeability of Educational Loan Debt

Christine A. Ford, P.S.
Attorney at Law
7403 Lakewood Dr. W., Suite 11
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Tel. 472-9747; Fax 474-1444

JUDGMENT SUMMARY

1. Judgment Defendant: Sallie Mae, Inc. c/o Becket & Lee LLP
2. Judgment Plaintiff: Alan J. Diolata
3. Principal Amount: \$ 148,403.73
4. Court Costs: \$ 0.00
5. Late Charges and Collection Fees: \$ 0.00
6. Attorneys' Fees: \$ 0.00
7. JUDGMENT AMOUNT: \$ 148,403.73

8. Attorney for Judgment Creditor: CHRISTINE A. FORD, P.S., 7403 Lakewood Drive, West, Suite 11, Lakewood, WA 98499-7951; Tel. (253) 472-9747.

AND NOW, upon consideration of the Plaintiff, Alan J. Diolata, and Defendant, Sallie

Mae, Inc.'s, Stipulation in Settlement of the above-captioned adversary proceeding, it is

ORDERED, that the Stipulation is hereby APPROVED, and it is further

ORDERED, that pursuant to the Stipulation, for so long as Plaintiff Alan J. Diolata does

not default under this Stipulation, the balance shall be reduced to \$45,000.00 ("Reduced Balance"), and the variable interest rate shall be reduced to a fixed rate of 5% ("Reduced Interest"), and Plaintiff Alan J. Diolata shall repay the Reduced Balance together with interest due at the Reduced Interest rate as follows: \$355.86 per month for a period of one hundred and eighty (180) consecutive months with the first payment due to be received by Sallie Mae on or before March 1, 2011, with subsequent payments to be received on the first (1st) day of each consecutive month thereafter, and it is further

ORDERED, that the Judgment is hereby APPROVED and is entered against the Defendant and in favor of the Plaintiff in the amount of \$148,403.73 as provided above. It is further

2- Stipulation in Settlement of Complaint to Determine Dischargeability of Educational Loan Debt

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1
2 Defendant, Sallie Mae, Inc., subject to the terms and conditions of the Stipulation.
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4 DATED THIS _____ day of _____, 2011.
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6

7 *Sonnie J. Stevens*
8

United States Bankruptcy Judge
(Dated as of Entered on Docket date above)

9
10 PRESENTED BY:

11 *Christine A. Ford*
12

13 Christine A. Ford, WSBA #13972
14 Attorney for Defendant Sallie Mae, Inc.

15 Copy Received and Notice of
16 Presentment Waived:

17 *Christina Latta Henry*
18

19 Christina Latta Henry, WSBA #27273
20 Attorney for Plaintiff

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26 3- Stipulation in Settlement of Complaint to Determine Dischargeability of Educational Loan Debt
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